

Art Unit: 1657

**ATTACHMENT TO INTERVIEW OF APRIL 20, 2009 SER NO 10/598377**

Examiner contacted Gail Silver to indicate that the new formula as submitted does not support claims 4 and new claim 23 since the lowest value for the  $t_h$  cannot be any lower than about 1.3 sec and the specification can never support less than about 0.88 seconds. Claim 4 is vague and indefinite as not further limiting claim 1 as well as claim 23.

Will accept based on the formula values submitted for each of the terms which value submitted is a calculation for the limits which new limit for the claims whereby the lower limit will be  $t_h$  is 1.3 seconds for claim 4 and whereby  $t_h$  is 1.3-600 sec will be for claim 23 is 1.3-180 sec.

Agent Gail Silver will contact her client for approval of the proposed amendment.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HERBERT J. LILLING whose telephone number is 571-272-0918. The examiner can normally be reached on WORK AT HOME MAXIFLEX.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JON WEBER can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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April 20, 2009

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Primary Examiner Art Unit 1657

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